

Practitioner's Docket No. D-1217 R3

PATENT



Preliminary Classification: Art Unit 2876
Proposed Class: 235
Subclass: 379



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

NEW APPLICATION TRANSMITTAL

Transmitted herewith for filing is the patent application of

Inventor(s): H. Thomas Graef, Ken Kontor, Michael Harty and Brian Jones
For (title): Cash Dispensing Automated Banking Machine and Method

1. Type of Application

This transmittal is for an original (nonprovisional) application.

CERTIFICATION UNDER 37 C.F.R. SECTIONS 1.8(a) AND 1.10*
(When using Express Mail, the Express Mail label number is **mandatory**;
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

[X] deposited with the United States Postal Service in an envelope addressed to Mail Stop Patent Application,
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.
37 C.F.R. Section 1.8(a) **37 C.F.R. Section 1.10***

[] with sufficient postage as first class mail. [X] as "Express Mail Post Office to Address"
Mailing Label No. EV382320280 US
(mandatory)

TRANSMISSION

[] transmitted by facsimile to the Patent and Trademark Office (703) ____ - ____.

Date: MARCH 9, 2004

Signature

Ralph E. Jocke
(type or print name of person certifying)

***WARNING:** Each paper or fee filed by "Express Mail" **must** have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. Section 1.10(b).
"Since the filing of correspondence under [Section] 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will **not** be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

2. Benefit of Prior U.S. Application(s) (35 U.S.C. 119(e), 120, or 121)

The new application being transmitted claims the benefit of prior U.S. application(s). Enclosed are ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S. APPLICATION(S) CLAIMED.

3. Papers Enclosed

A. Required for filing date under 37 C.F.R. 1.53(b) (Regular) or 37 C.F.R. 1.153 (Design) Application

47 Pages of Specification
5 Pages of Claims
15 Sheets of Drawing(s) (formal)

B. Other Papers Enclosed

6 Pages of Declaration and Power of Attorney
1 Page of Abstract
14 Pages of Application Data Sheet
___ Other

4. Declaration or Oath

Enclosed.

Executed by inventors.

5. Inventorship Statement

The inventorship for all the claims in this application is not the same. An explanation, including the ownership of the various claims at the time the alst claimed invention was made, will be submitted.

6. Language

English

7. Assignment

An assignment of the invention to Diebold Self-Service Systems, Division of Diebold, Incorporated is attached.

8. Fee Calculation (37 C.F.R. Section 1.16)

Regular Application

CLAIMS AS FILED					
Claims	Number Filed	Basic Fee Allowance	Number Extra	Rate	Basic Fee 37 CFR 1.16(a) \$770.00
Total Claims (37 CFR 1.16(c))	17	- 20 =	0 x	\$18.00	\$ 00.00
Independent Claims (37 CFR 1.16(b))	1	- 3 =	0 x	\$86.00	\$0.00
Multiple Dependent Claim(s), if any (37 CFR 1.16(d))			+	\$290.00	\$0.00
Filing Fee Calculation					\$ 770.00

9. Fee Payment Being Made at This Time

Enclosed.

Filing fee \$ 770.00

Recording assignment \$ 40.00

Total fees enclosed \$ 810.00

10. Method of Payment of Fees

Authorization is hereby made to charge the amount of \$ 810.00 to Deposit Account No. 09-0428.

Charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

A duplicate of this paper is attached.

11. Authorization to Charge Additional Fees.

The Office is hereby authorized to charge, in the manner shown above, the following additional fees that may be required by this paper and during the entire pendency of this application.

37 C.F.R. § 1.16(a), (f) or (g) (filing fees)

37 C.F.R. § 1.16(b), (c) and (d) (presentation for extra claims)

37 C.F.R. § 1.16(e) (surcharge for filing the basic filing fee and/or declaration on a date later than the filing date of the application)

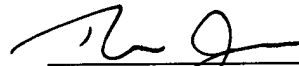
37 C.F.R. § 1.17(a) (1)-(5) (extension fees pursuant to § 1.136(a))

37 C.F.R. § 1.17 (application processing fees)

12. Instructions as to Overpayment

Credit Account No. 09-0428

Registration No. 31,029



Ralph E. Jocke
231 South Broadway
Medina, Ohio 44256

Phone: 330-721-0000

Customer No. 28995

Incorporation by reference of added pages

Plus Added Pages for New Application Transmittal Where Benefit of Prior U.S. Application(s) Claimed.

**ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF
PRIOR U.S. APPLICATION CLAIMED**

13. Relate Back

A. 35 U.S.C. Section 119(e)

This application claims the benefit of U.S. Provisional Application Nos.:

APPLICATION NO.

FILING DATE

60/453,146

March 10, 2003

14. Further Inventorship Statement Where Benefit of Prior Application(s) Claimed

This application discloses and claims only subject matter disclosed in the prior application whose particulars are set out above and the inventor(s) in this application are the same.

The inventorship for all the claims in this application are not the same. An explanation, including the ownership of the various claims at the time the last claimed invention was made will be submitted.